



Docket No.: 1912-0330PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lisa MCKERRACHER et al.

Application No.: 10/573,658

Confirmation No.: 5666

Filed: March 28, 2006

Art Unit: N/A

For: CLOSTRIDIUM BOTULINUM C3
EXOTRANSFERASE COMPOSITIONS AND
METHODS FOR TREATING TUMOUR
SPREADING

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated September 27, 2006,
Applicant respectfully submits:

☒ Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).

☒ Attached is the Executed Declaration and Power of Attorney ☒ Original ☐ Photocopy.

☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on March 28, 2006, including any amendments thereto (if applicable) filed on even date therewith.

☒ **The undersigned hereby declares that " the attached Inventors' Declaration corresponds to Appl. No.10/573,658 filed March 28, 2006 entitled "CLOSTRIDIUM BOTULINUM C3 EXOTRANSFERASE COMPOSITIONS AND METHODS FOR TREATING TUMOUR SPREADING."**

☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

☐ Attached are sheet(s) of drawings. Please substitute these replacement drawings for the corresponding sheet(s) of drawings on file in the above-identified application.

☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

☒ **Attached is a preliminary amendment.**

☒ **Attached is a Sequence Listing in both a paper copy and a CRF disk.**

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

☒ **Attached is a Supplemental Application Data Sheet (ADS).**

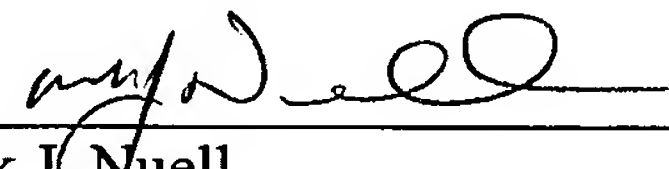
☐ Submitted concurrently herewith under separate cover for recording is an Assignment.

- ☐ Attached is a Petition for Extension of Time.
- ☒ **The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on March 28, 2006.**
- ☐ Attached hereto is the fee transmittal listing the required fees.

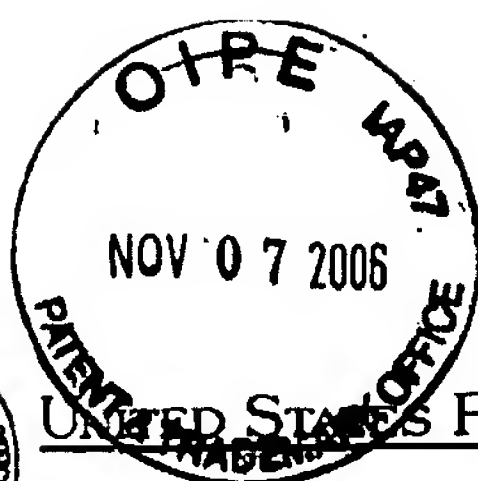
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: November 7, 2006

Respectfully submitted,

By 
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Attachment(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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DRN

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/573,658	Lisa McKerracher	19120330PUS1

02292
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INTERNATIONAL APPLICATION NO.

PCT/CA04/01763

I.A. FILING DATE

PRIORITY DATE

09/29/2004

09/29/2003

CONFIRMATION NO. 5666

371 FORMALITIES LETTER



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copy
DOCKETED
Perfect
SEP listing
11/27/2006

Date Mailed: 09/27/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/28/2006
- Copy of the International Search Report filed on 03/28/2006
- Preliminary Amendments filed on 03/28/2006
- Information Disclosure Statements filed on 03/28/2006
- Biochemical Sequence Listing filed on 03/28/2006
- U.S. Basic National Fees filed on 03/28/2006
- Priority Documents filed on 03/28/2006
- Specification filed on 03/28/2006
- Claims filed on 03/28/2006
- Abstracts filed on 03/28/2006
- Drawings filed on 03/28/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S.